

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

**PAUL NORRIS, JR.
ADC #144669,**

PETITIONER

v.

CASE NO: 5:14CV00193 BSM

**RAY HOBBS, Director,
Arkansas Department of Correction**

RESPONDENT

ORDER

The recommended disposition (“RD”) submitted by Magistrate Judge Joe J. Volpe and petitioner’s objections thereto have been reviewed. After carefully reviewing the record, *de novo*, the conclusion of the RD is adopted but for a different reason than the one provided by the RD.

Jackson v. Virginia, 443 U.S. 307 , 321, 324 (1979), provides that a federal habeas corpus proceeding may be cognizable when a prisoner claims that his state criminal conviction is not supported by the evidence. If, however, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt after viewing the evidence in the light most favorable to the prosecution, such evidence is sufficient to support the challenged conviction. *Id.* at 319; *Coleman v. Johnson*, 132 S. Ct. 2060, 2064 (2012). When the evidence presented to the jury in petitioner Paul Norris’s trial is viewed in the light most favorable to the state, a rational fact-finder readily could have found beyond a reasonable doubt that Norris was guilty of capital murder, aggravated robbery, and first-degree battery. Norris’s habeas petition is therefore without merit.

Accordingly, the petition for writ of habeas corpus [Doc. No.1], pursuant to 28 U.S.C.

§ 2254, filed by Norris is dismissed with prejudice. In § 2254 cases, a certificate of appealability may issue only if the petitioner has made a substantial showing of the denial of a constitutional right. 28 U.S.C. § 2253(c)(2). As there is no issue on which Norris has made a substantial showing of a denial of a constitutional right, a certificate of appealability is denied.

IT IS SO ORDERED this 13th day of January 2015.

Brian S. Miller
UNITED STATES DISTRICT JUDGE